

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**FALCON TRUCKING, LLC and
RAGLE, INC.**

and

**CHAUFFEURS, TEAMSTERS and
HELPERS, LOCAL UNION No. 215**

**Cases 25-CA-132518
25-CA-135316
25-CA-135335**

ORDER¹

The Petitioners' joint petition to revoke subpoenas duces tecum B-1-J6VQTF and B-1-J6RTFZ is denied. The subpoenas seek information relevant to the matter under investigation and describe with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Petitioners have failed to establish any other legal basis for revoking the subpoenas.² See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir.

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² In denying the petition to revoke, we consider the subpoenas as modified by the Region's statement in its opposition to the petition to revoke that (1) it is no longer seeking enforcement of subpoena paragraphs 11, 14, 16, 27, 28, 30, 31, 32, 34, 36, 53, 55, 56, 57 and 59, (2) subpoena paragraph 17 only requires the production of responsive documents kept in the Petitioners' normal course of business or that are in the Petitioners' possession, and (3) that the Petitioners may redact bank account numbers, credit card numbers, and/or tax identification numbers from the subpoenaed documents.

In addition, to the extent the subpoenas encompass some documents that the Petitioners believe in good faith to be protected from disclosure, the Petitioners may submit a privilege log providing sufficient detail to permit an assessment by the Region of the Petitioners' claims.

Finally, to the extent the Petitioners have provided some of the material requested in the subpoenas, they are not required to produce that information again, provided that the Petitioners accurately describe which documents under subpoena they have already provided, state whether those previously-supplied documents constitute all of the requested documents, and provide all of the information that was subpoenaed.

1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., March 19, 2015.

MARK GASTON PEARCE,	CHAIRMAN
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PHILIP A. MISCIMARRA,	MEMBER
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KENT Y. HIROZAWA,	MEMBER
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